

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554**

In the Matter of)	
)	File No. EB-02-TS-476
Request for Waiver of the Rules of the)	FO Docket No. 91-301
Federal Communications Commission)	FO Docket No. 91-171
Relating to Implementation of the)	
Emergency Broadcast System)	Com-Link, Inc.

To: Chief, Office of Homeland Security, Enforcement Bureau

**PETITION FOR FURTHER WAIVER OF
EMERGENCY ALERT SYSTEM REQUIREMENTS**

Com-Link, Inc. (hereinafter "Petitioner"), by its attorneys, respectfully requests a further waiver of Section 11.11 of FCC Rules, 47 U.S.C. § 11.11. Specifically, Petitioner seeks additional relief from the requirement to implement Emergency Alert System ("EAS") equipment and procedures at Petitioner's cable television headend system at Notasulga, Alabama no later than October 1, 2005. Section 11.11(a) requires cable television systems serving fewer than 5,000 subscribers either to provide the national level EAS message on all programmed channels - including the required testing - or to install EAS equipment and provide a video interrupt and audio alert on all programmed channels and EAS audio and visual messages on at least one programmed channel.

Petitioner requests a further waiver permitting the Notasulga system to continue to operate without EAS for another two years. Petitioner relies herein upon the mechanism for waiver established in the *Second Report and Order* in FO Docket Nos. 91-301 and 91-171, FCC 97-338, found at 12 FCC Rcd 15503, see ¶19 *et seq.* (1997).

Background

On August 27, 2002 Petitioner filed a Petition For Waiver Of Emergency Alert System Requirements, which were then scheduled to take effect on October 1, 2002. The Enforcement Bureau ("the Bureau") granted Petitioner a temporary waiver of the requirements for EAS implementation, including the requirements for testing and monitoring.^{1/} The waiver applied to two systems, one at Notasulga, Alabama, and one at Autaugaville, Alabama. Recognizing that the estimated \$16,000 cost of EAS equipment for Petitioner's two small cable systems would cause a financial hardship on Petitioner, and considering other local circumstances, the Bureau granted a 36-month waiver for the two cable television systems.

Since that time, Petitioner has sold the 77-subscriber Autaugaville system to New Wave Communications. The Notasulga system, the subject of this request, has been losing customers and is no longer a commercially viable operation. EAS-compliant technology compatible with the Notasulga cable television system facility has not become available at a financially reasonable expense, and none is foreseen to be available by October 1, 2005. Installation at current prices would result in stranded investment at best and immediate cessation of the operation at worst, given the precarious financial circumstances of the Notasulga system.

For the reasons shown herein, Petitioner requests further waiver of the EAS requirements attendant to the cable television headend system at Notasulga, Alabama. As demonstrated herein, good cause exists for grant of an additional waiver.^{2/}

^{1/} See, *Order in The Matter of Com-Link, Inc.*, File No. EB-02-TS-476, released November 26, 2002 ("*Com-Link Order*"), wherein 36-month waivers were granted for Petitioner's cable television headend systems in Notasulga and Autaugaville, Alabama.

^{2/} "The Commission may exercise its discretion to waive a rule where particular facts would

Further Waiver Is Justified by Continued Financial Hardship

In the *Com-Link Order* and elsewhere the Bureau has restated its commitment to grant waivers of the EAS rules to small cable systems on a case-by-case basis upon a showing of financial hardship. The Commission recognized that smaller systems do not have access to the financial resources, purchasing discounts and other efficiencies of larger companies. In the *Second Report and Order*, at ¶20, the Commission stated, "Finally, we note that there is potential for financial hardship for small cable systems even with an extended phase-in period. Therefore, we will continue to provide waivers on a case-by-case basis." Indeed, Petitioner finds that EAS implementation endures as an economic burden for the Notasulga cable television systems.

Subscribership on the Notasulga headend system has been declining steadily from 490 in 2003, to 464 in 2004, to a present number of 302 subscribers. The system's net income statement reflects a loss off \$17,720 in year 2004 and a loss off \$7,484 in year 2003. Year-to-date 2005 the operation has lost \$1,610. Petitioner's unaudited adjusted income statements for years 2003 and 2004 and for January through July 2005 are attached hereto. Petitioner is losing subscribers to competing providers of cable and satellite programming services.

The viability of the Notasulga system is extremely tenuous. Nevertheless, since the time of release of the *Com-Link Order* Petitioner in good faith has continued its detailed review of equipment vendors' proposals for providing subscribers with EAS messages and interrupts. As

make strict compliance in consistent with the public interest." WAIT Radio v. FCC, 418 F.2d 1153, 1159 (D.C. Cir. 1969). Waiver of a Commission rule is appropriate where (1) the underlying purpose of the rule will not be served, or would be frustrated, by its application in a particular case, and grant of the waiver is otherwise in the public interest, or (2) unique facts or circumstances render application of the rule inequitable, unduly burdensome or otherwise contrary to the public interest, and there is no reasonable alternative.

background, Petitioner has finished installing EAS systems at Union Springs, Alabama, and at Lake Martin Resort, Alabama, where installation costs have ranged from \$8,000 to \$9,000 per headend. For Notasulga, Petitioner has obtained quotes from EAS equipment suppliers, most recently in the amounts of \$8,028 and \$7,185. The quotes are for equipment acquisition only. They do not include accessories, installation, financing, spare parts, training or testing. These would add another \$1,500 to \$2,000 to the initial cost of EAS. Petitioner is limited in its ability to obtain funds for EAS because the Notasulga system's financial condition does not meet leverage restriction ratios applied by commercial lenders.

Despite Petitioner's diligent efforts to acquire an economical EAS system for Notasulga, the prospects remain economically untenable. As mentioned in the *Com-Link Order*, it was hoped that FCC-certified decoder-only units would offer a lower cost means of small system EAS compliance. To date, Petitioner has located no economically practical FCC-certified decoder-only units available on the market. Petitioner inquired with decoder-only vendors listed on the FCC's website and others. The very lowest quote it received for a decoder-only unit was the quote in the amount of \$7,185. Spread over two years, and making the unlikely assumption of retaining 302 subscribers, Notasulga subscriber rates for that equipment purchase, plus installation, (total \$8,685) would have to be raised by at least \$1.20 per month, which is a 6% increase over the current basic subscriber rate of \$19.94.

Petitioner finds that to acquire and operate a stand-alone EAS system at current quoted costs would be financially destructive. The cost of EAS would exceed this year's net income. The figures demonstrate that the Notasulga operation would be jeopardized severely by enforcement of the EAS implementation requirements on October 1, 2005. The cost of EAS is far too great a burden to place upon subscribers, who do not have the means to pay higher monthly rates for EAS. The population of

the service area is low, and the people are of very modest income. According to most recent U.S. Census estimates,^{3/} key demographics of the system service area are as follows:

	<u>2000 Population</u>	<u>1999 Median Household Income</u>	<u>1999 Population Living in Poverty</u>	<u>2000 Popu- lation not in Labor Force</u> ^{4/}
Notasulga	916	\$31,307	17.8%	43.4%
Loachapoka	185	\$30,938	16.3%	52.3%

There simply are not enough customers on the Notasulga system to justify EAS installation, expansion of programming or any other upgrades. At the same time, a much larger operator, Charter Communications, is rapidly overbuilding the Notasulga system. Because of its inability to compete, Petitioner has already decommissioned about 50% of the cable television system plant of the Notasulga headend system.

The circumstances of weak local economy and diminished use of the Notasulga system justify an additional waiver of the requirement to deliver EAS services to subscribers of the expiring Notasulga headend system. The financial circumstances of Petitioner and its subscribers warrant the additional relief requested herein.

^{3/} Statistics of the U.S. Department of Commerce, Bureau of the Census, State and County Quick Facts

^{4/} The national average is 36.1%.

**Alternative Sources of Emergency Alerting
Remain in Place in the Notasulga service area**

The emergency alert environment of information and risks remains largely unchanged since release of the *Com-Link Order*. Petitioner continues to carry on the basic tier of the system all of the off-air broadcasting signals that are available for carriage in the area, all of which carry weather crawlers and interrupt programs with weather and other emergency developments. The system continues to carry at least one 24-hour news network, making national breaking news available to all subscribers on the basic tier. The basic tier also includes The Weather Channel, which carries local weather information, updates, and national alerts. Local and county Civil Defense systems remain installed to cover the communities. What is new is that Charter Communications is serving more and more of Petitioner's service area and it is believed to operate state of the art EAS equipment.

The main risks to the communities are weather related emergencies, including tornadoes, hurricanes, floods and hail. The Civil Defense siren systems alert residents to impending hazard from severe weather systems, and Petitioner strives to keep the cable television system operating during such times so that viewers can tune into local broadcast stations or to The Weather Channel for specific alert information. Fortunately, because of the system's distance from the coast, the physical effects of Hurricane Katrina were minimal within the service area.

The likelihood of the occurrence of an emergency resulting from acts of foreign terrorists is remote. There is no foreseeable target, such as a local nuclear reactor, major airport, and there are no major prisons, reservoirs, hospitals, military or weapons facilities located nearby. Subscribers are informed of national emergencies by existing alerting systems and by the cable television and broadcast programming that Petitioner continues to provide. It is in the subscribers' interests that the Notasulga cable television system remain in service, at low monthly rates.

Further Waiver Is Justified Under the Circumstances

As demonstrated herein, EAS installation at the Notasulga headend system by October 1, 2005 is economically infeasible. To deliver EAS services on the system by October 1, 2005 would burden Petitioner's subscribers and would place Petitioner at serious business risk, most likely prompting cessation of operations. Petitioner's customers will benefit by waiver of the requirement for installation of EAS.

Grant of Petitioner's request for a waiver of Section 11.11(a) of the Commission's rules is in the public interest. The unique and unusual circumstances surrounding the Petitioner's financial circumstances constitute more than sufficient grounds for additional relief from EAS obligations for the Notasulga headend system. Special consideration is warranted for the environment demonstrated herein, so that Petitioner's cable television system, serving a very rural area in Alabama, may continue to provide programming service to its subscribers. The negative financial implications of stand alone and stranded EAS installation would be alleviated by a further waiver for the Notasulga headend. The requested relief would permit Petitioner to continue to provide service through October 1, 2007. By that time Petitioner may have a clearer picture of the destiny of the Notasulga system. Operation will continue in the meantime at the lowest possible cost to system subscribers.

CONCLUSION

For the reasons stated herein, Petitioner requests that further waiver be granted for the headend system at Notasulga, Alabama, extending until October 1, 2007 a waiver of the requirement for EAS implementation and related compliance with Section 11.11(a) of the FCC's rules. The Petitioner's supplemental showing herein is consistent with the requirements for relief set forth in the *Second Report and Order* in this matter. Furthermore, the public interest benefit of a further waiver

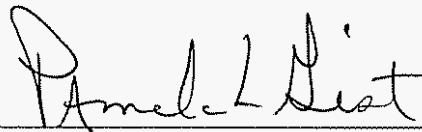
equals or exceeds that which would be gained by earlier enforcement of the EAS requirements. Accordingly, Petitioner requests that a further waiver be granted as proposed.

The Commission may contact Larry C. Grogan, Executive Vice President, Com-Link, Inc., P.O. Box 240967, Montgomery, Alabama 36124-0967, Phone: (334) 279-8201, fax: (334) 279-8201, with any questions regarding this request. Please direct a copy of any written communications to Petitioner to Lukas, Nace, Gutierrez & Sachs, Chartered, Attention Pamela L. Gist, 1650 Tysons Boulevard, Suite 1500, McLean, Virginia 22102; Phone: (703) 584-8665; Fax: (703) 584-8695; Email: pgist@fcclaw.com.

Respectfully submitted,

COM-LINK, INC.

By: _____



Pamela L. Gist
Its Attorney

Date: September 9, 2005

Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Boulevard, Suite 1500
McLean, Virginia 22102
Ph. (703) 584-8665

Com-Link, Inc.

Income Statement 2003 to Present

Notasulga, Alabama CATV System

LOCATION - 00 CONSOLIDATED

OPERATING REVENUES

	CURRENT BALANCE	CURRENT FORECAST	CURRENT YEAR TO DATE	YEAR TO DATE FORECAST	LAST YEAR BALANCE	LAST YEAR YEAR TO DATE
BASIC SERVICE REVENUE	9,680.03	9,700.00	116,032.63	116,600.00	9,827.36	116,960.23
PREMIUM SERVICE REVENUE	1,669.60	1,600.00	19,794.70	19,350.00	1,704.30	20,174.96
CABLE PLUS/TIER REVENUE	3,963.07	3,900.00	47,386.03	46,300.00	3,974.99	47,610.14
PAY FOR VIEW REVENUE				150.00		
INTERNET REVENUE						
ADDITIONAL OUTLET REVENUE	849.08	800.00	9,989.64	9,650.00	828.25	9,858.12
ADVERTISING REVENUE						
MISCELLANEOUS REVENUE	888.17	800.00	10,861.80	7,900.00	1,032.03	12,270.27
UNCOLLECTIBLES	406.93-	400.00-	3,505.98-	1,775.00-	43.74-	1,763.01-
TOTAL OPERATING REVENUES	16,643.02	16,400.00	200,558.82	198,175.00	17,323.19	205,110.71

OPERATING EXPENSES

SYSTEM MAINTENANCE EXPENSE	2,340.53-	2,000.00-	26,969.39-	24,850.00-	2,143.29-	28,053.82-
SYSTEM UTILITIES	735.24-	600.00-	7,636.45-	7,210.00-	581.53-	7,157.95-
BILLING & COLLECTIONS EXPENSE	482.15-	500.00-	6,783.21-	5,850.00-	520.92-	6,627.64-
DUES AND SUBSCRIPTIONS	123.14-	100.00-	1,205.98-	1,225.00-	58.51-	925.72-
INTERNET EXPENSE						
POLE EXPENSE	1,268.58-	700.00-	8,598.64-	8,400.00-	663.58-	7,959.13-
FIBER LEASE EXPENSE					9,560.39-	9,560.39-
PROGRAM GUIDES EXPENSE						
BASIC SIGNAL RENT	1,683.61-	1,500.00-	18,764.85-	18,000.00-	1,461.27-	16,216.16-
PREMIUM SIGNAL RENT	1,064.14-	1,150.00-	13,322.33-	13,800.00-	1,109.14-	13,172.15-
CABLE PLUS/TIER SIGNAL RENT	3,727.85-	3,400.00-	40,551.32-	41,000.00-	3,325.89-	37,884.69-
PAY FOR VIEW SIGNAL RENT						
TOTAL OPERATING EXPENSE	11,425.24-	9,950.00-	123,832.17-	120,335.00-	19,424.52-	127,557.65-

GENERAL AND ADMINISTRATIVE

GENERAL & ADMINISTRATIVE EXP	633.01-	900.00-	11,215.93-	10,800.00-	1,020.03-	9,209.54-
INSURANCE EXPENSE	474.57-	300.00-	4,219.04-	3,600.00-	261.51-	3,297.80-
OFFICE SUPPLIES AND EXPENSE	26.48-		67.97-	80.00-		
TAXES AND LICENSES	75.84-	200.00-	2,012.17-	2,400.00-	111.79-	2,099.66-
PROPERTY TAX EXPENSE	311.28-	325.00-	3,722.56-	3,900.00-	142.17-	1,051.22
LEGAL & ACCOUNTING EXPENSE	28.78-	90.00-	775.74-	1,075.00-	115.00-	2,313.13-
GENERAL MISCELLANEOUS EXPENSE		5.00-	42.86-	50.00-	5.00-	5.00-
TOTAL GENERAL AND ADMINISTRATIVE	1,549.96-	1,820.00-	22,056.27-	21,905.00-	1,655.50-	15,873.91-

NET OPERATING INCOME

DEPRECIATION EXPENSE

INTEREST EXPENSE

OTHER INCOME

INCOME TAXES

NET INCOME

NET OPERATING INCOME	3,667.82	4,630.00	54,670.38	55,935.00	3,756.83-	61,679.15
DEPRECIATION EXPENSE	5,681.46-	6,100.00-	70,649.40-	73,200.00-	5,719.34-	72,766.55-
INTEREST EXPENSE		175.00-	820.06-	2,100.00-	95.41-	1,509.75-
OTHER INCOME						
INCOME TAXES	5,470.61-	200.00		1,850.00	8,766.88	9,886.33
NET INCOME	7,484.25-	1,445.00-	16,799.08-	17,515.00-	804.70-	2,710.82-

LOCATION - 00 CONSOLIDATED	CURRENT BALANCE	CURRENT FORECAST	CURRENT YEAR TO DATE	YEAR TO DATE FORECAST	LAST YEAR BALANCE	LAST YEAR YEAR TO DATE
OPERATING REVENUES						
BASIC SERVICE REVENUE	9,686.50	10,450.00	119,013.36	125,400.00	9,680.03	116,032.63
PREMIUM SERVICE REVENUE	1,512.00	1,680.00	18,964.37	20,160.00	1,669.60	19,794.70
CABLE PLUS/TIER REVENUE	3,795.09	4,000.00	46,565.02	48,000.00	3,963.07	47,386.03
PAY FOR VIEW REVENUE						
INTERNET REVENUE						
ADDITIONAL OUTLET REVENUE	805.92	850.00	10,065.10	10,200.00	849.08	9,989.64
ADVERTISING REVENUE						
MISCELLANEOUS REVENUE	603.83	600.00	10,128.17	7,200.00	888.17	10,861.80
UNCOLLECTIBLES	301.92-		5,070.31-		406.93-	3,505.98-
TOTAL OPERATING REVENUES	16,101.42	17,580.00	199,665.71	210,960.00	16,643.02	200,558.82
OPERATING EXPENSES						
SYSTEM MAINTENANCE EXPENSE	3,673.54-	2,300.00-	30,076.95-	27,600.00-	2,340.53-	26,969.39-
SYSTEM UTILITIES	618.22-	750.00-	7,651.79-	9,000.00-	735.24-	7,636.45-
BILLING & COLLECTIONS EXPENSE	656.44-	630.00-	9,774.77-	7,560.00-	482.15-	6,783.21-
DUES AND SUBSCRIPTIONS	79.44-	125.00-	796.74-	1,500.00-	123.14-	1,205.98-
INTERNET EXPENSE						
POLE EXPENSE	945.00-	1,270.00-	13,280.48-	15,240.00-	1,268.58-	8,598.64-
FIBER LEASE EXPENSE						
PROGRAM GUIDES EXPENSE						
BASIC SIGNAL RENT	1,698.81-	1,700.00-	19,759.41-	20,400.00-	1,683.61-	18,764.85-
PREMIUM SIGNAL RENT	1,077.96-	1,325.00-	13,792.60-	15,900.00-	1,064.14-	13,322.33-
CABLE PLUS/TIER SIGNAL RENT	3,840.18-	4,010.00-	46,017.72-	48,110.00-	3,727.85-	40,551.32-
PAY FOR VIEW SIGNAL RENT						
TOTAL OPERATING EXPENSE	12,589.59-	12,110.00-	141,150.46-	145,310.00-	11,425.24-	123,832.17-
GENERAL AND ADMINISTRATIVE						
GENERAL & ADMINISTRATIVE EXP	817.28-	1,200.00-	15,693.39-	14,400.00-	633.01-	11,215.93-
INSURANCE EXPENSE	329.23-	475.00-	5,464.10-	5,700.00-	474.57-	4,219.04-
OFFICE SUPPLIES AND EXPENSE					26.48-	67.97-
TAXES AND LICENSES	174.24-	150.00-	2,725.41-	1,800.00-	75.84-	2,012.17-
PROPERTY TAX EXPENSE	105.32-	320.00-	3,225.32-	3,840.00-	311.28-	3,722.56-
LEGAL & ACCOUNTING EXPENSE	961.75-	75.00-	1,911.75-	900.00-	28.78-	775.74-
GENERAL MISCELLANEOUS EXPENSE		5.00-	46.00-	60.00-		42.86-
TOTAL GENERAL AND ADMINISTRATIVE	2,387.82-	2,225.00-	29,065.97-	26,700.00-	1,549.96-	22,056.27-
NET OPERATING INCOME	1,124.01	3,245.00	29,449.28	38,950.00	3,667.82	54,670.38
DEPRECIATION EXPENSE	5,725.26-	5,850.00-	69,701.97-	70,200.00-	5,681.46-	70,649.40-
INTEREST EXPENSE						820.06-
OTHER INCOME				1,000.00-		
INCOME TAXES	13,118.89-				5,470.61-	
NET INCOME	17,720.14-	2,605.00-	40,252.69-	32,250.00-	7,484.25-	16,799.08-

LOCATION - 00 CONSOLIDATED

OPERATING REVENUES

	CURRENT BALANCE	CURRENT FORECAST	CURRENT YEAR TO DATE	YEAR TO DATE FORECAST	LAST YEAR BALANCE	LAST YEAR YEAR TO DATE
BASIC SERVICE REVENUE	6,633.52	7,550.00	51,304.76	60,620.00	9,711.30	70,464.62
PREMIUM SERVICE REVENUE	1,107.43	1,440.00	8,815.93	10,414.00	1,513.60	11,408.77
CABLE PLUS/TIER REVENUE	2,583.86	2,852.00	20,058.66	23,344.00	3,783.73	27,609.24
PAY FOR VIEW REVENUE						
INTERNET REVENUE						
ADDITIONAL OUTLET REVENUE	615.75	638.00	4,675.52	5,035.00	837.83	6,009.94
ADVERTISING REVENUE						
MISCELLANEOUS REVENUE	624.38	877.00	4,830.61	5,027.00	539.51	5,902.81
UNCOLLECTIBLES	794.26-	290.00-	3,870.00-	2,268.00-	777.68-	2,705.97-
TOTAL OPERATING REVENUES	10,770.68	13,067.00	85,815.48	102,172.00	15,608.29	118,689.41

OPERATING EXPENSES

SYSTEM MAINTENANCE EXPENSE	1,902.10-	2,106.00-	10,593.30-	10,808.00-	2,200.22-	17,838.00-
SYSTEM UTILITIES	373.24-	269.00-	3,797.80-	3,607.00-	642.02-	4,522.99-
BILLING & COLLECTIONS EXPENSE	723.79-	582.00-	5,943.59-	5,144.00-	898.77-	5,677.60-
DUES AND SUBSCRIPTIONS	57.59-	64.00-	441.67-	492.00-	63.55-	451.35-
INTERNET EXPENSE						
POLE EXPENSE	939.50-	1,172.00-	6,559.19-	7,272.00-	1,000.00-	8,602.28-
FIBER LEASE EXPENSE						
PROGRAM GUIDES EXPENSE						
BASIC SIGNAL RENT	1,174.33-	1,127.00-	9,854.07-	10,775.00-	1,548.32-	11,263.71-
PREMIUM SIGNAL RENT	817.15-	1,027.00-	6,840.22-	7,677.00-	1,132.64-	8,413.36-
CABLE PLUS/TIER SIGNAL RENT	1,962.40-	2,449.00-	20,824.48-	26,337.00-	3,662.40-	27,594.67-
PAY FOR VIEW SIGNAL RENT						
TOTAL OPERATING EXPENSE	7,950.10-	8,796.00-	64,854.32-	72,112.00-	11,147.92-	84,363.96-

GENERAL AND ADMINISTRATIVE

GENERAL & ADMINISTRATIVE EXP	739.61-	1,323.00-	5,315.90-	7,765.00-	1,445.29-	9,612.08-
INSURANCE EXPENSE	371.03-	454.00-	2,349.01-	2,760.00-	363.15-	3,953.89-
OFFICE SUPPLIES AND EXPENSE						
TAXES AND LICENSES	127.09-	218.00-	1,274.21-	1,654.00-	141.33-	1,913.52-
PROPERTY TAX EXPENSE	275.00-	245.00-	1,925.00-	1,835.00-	320.00-	2,240.00-
LEGAL & ACCOUNTING EXPENSE	175.00-	175.00-	725.00-	825.00-	75.00-	550.00-
GENERAL MISCELLANEOUS EXPENSE		5.00-		15.00-		46.00-
TOTAL GENERAL AND ADMINISTRATIVE	1,687.73-	2,420.00-	11,589.12-	14,854.00-	2,344.77-	18,315.49-

NET OPERATING INCOME

DEPRECIATION EXPENSE

INTEREST EXPENSE

OTHER INCOME

INCOME TAXES

NET INCOME

DEPRECIATION EXPENSE	2,753.37-	2,046.00-	24,286.38-	29,370.00-	5,850.16-	40,952.08-
INTEREST EXPENSE						
OTHER INCOME	10.40		10.40			
INCOME TAXES			2,522.07	1,000.00	1,276.64	9,123.44
NET INCOME	1,610.12-	195.00-	12,381.87-	13,164.00-	2,457.92-	15,818.68-

EAS Equipment Quote

Mega Hertz

Quoted to:

Lynn Rotton
 ComLink
 206 Hardaway Avenue East
 Box 272
 Union Springs, AL 36089
 Phone: 334-738-2204
 Fax: 334-738-5555



4241 Baymeadows Road
 Suite 6
 Jacksonville, FL 32217

800.883.8839
 904.636.0075 - Fax
 kevinrevallo@megahz.com

Quote #:	Category:	Prepared by:	Quote Date:	Expires:
013526	084U5F515		8/30/2005	9/29/2005

Supplier	Part #	Description	Price	Qty	Extend
Mega Hertz	TP30D/RPK46*	RADIO AM OR FM (SELECTABLE) w/ RACKMOUNT(L1)	\$214.20	2	\$428.40
Mega Hertz	MHZ599COMB/6/M2*	SUB-ALERT EAS SYSTEM w/ AUDIO/VIDEO COMB GENERATOR (599 MHZ) AND TRUNK SWITCH, PLUS SUB-ALERT 6/M2 PACKAGE (L1)	\$6,999.75	1	\$6,999.75
Mega Hertz	EAS/986	EAS AUTO ANSWER (L1)	\$600.00	1	\$600.00

Terms

Net 30 with prior credit approval. If credit has not been established, shipments will be made on a CIA basis. Shipping is prepaid and added unless other arrangements have been made prior to shipment.

*Thank you for considering
 Mega Hertz for your equipment
 needs!!!*

Kevin Revallo
 Southeast Regional Manager
 www.megahz.com

Sub-Total	\$8,028.15
Tax	
Total	\$8,028.15

EAS Equipment Quote

Trilithic, Inc.

TRILITHIC INC.

EASyPLUS Systems Quotation
20 Whip-Poor-Will-Lane
Bernards Bay, NY 13028
(888) 344-6838

Vendor Quote No.: **32001109**

Com-Link, Inc.
Lynn Rotton
206 Hardaway Ave., East
Union Springs, AL 36089
lrotton@ustconline.net

334-738-7779

8/30/2005

9/30/2005

Phone

Fax

Date

Target Date

Email

Summary:

An EASyPLUS "Decoder-Only" with a 550 MHz comb generator has been quoted for this "under 1000 subs" cable television system.

Double click in Summary box to invoke word processor

Comments:**IMPORTANT NOTICE:**

TRILITHIC E A S Division is scheduling to release the EASy-NIC Digital Network Ethernet Modem on or before **OCT. 2005**. The EASY-NIC Ethernet card when mounted inside the EASy-PLUS Encoder/Decoder, will process digital E A S for Scientific-Atlanta's DNCS servers, for CableCards® and for SCTE-18 In-Band clear channel QAMS digital channels (as well as the DSG spec. and other proprietary specifications)

Should you need to handle digital E A S applications immediately (e.g. DNCS for DVS-168 or SCTE-18 for In-Band or Out-of-Band) a software key is available with your EASy-NIC order with the understanding that digital E A S message processing is handled externally on a PC or Laptop in a 24/7 configuration. This application will temporarily reside on the PC or Laptop and will therefore be deactivated on the release of the EASy-NIC Ethernet Modem board.

PLEASE NOTE: WHERE EVER APPLICABLE, SALES TAX WILL APPLY TO ANY AND ALL ORDERS. UNLESS WE RECEIVE OR HAVE IN OUR FILES, A TAX EXEMPTION CERTIFICATE

PLEASE NOTE: A HANDLING CHARGE OF \$ 8 00 WILL APPLY TO ANY AND ALL ORDERS. THE APPROPRIATE SHIPPING CHARGES WILL BE APPLIED TO ALL ORDERS AS WELL. UNLESS AUTHORIZED TO BE SHIPPED VIA SELECT CARRIERS BEFOREHAND

THIS PRICE QUOTATION AS STRUCTURED IS FIRM AND WILL BE HONORED BY TRILITHIC INC
FOR 30 DAYS FROM THE ABOVE DATE OF ISSUE
AFTER 30 DAYS THIS QUOTATION MAY BE SUBJECT TO REVIEW AND ISSUANCE OF A NEW PRICE QUOTE

EASy CUSTOMER HEADEND PROFILE

E.A.S. Hardware Quoted:

Does customer desire an EASy-PLUS, Encoder/Decoder?

(ENTER (Y)es or (N)o-----)

Y

E.A.S. Encoder/Decoder Options:

ENTER:

"0" for AM, FM, or LPFM Broadcaster, or

"1" "Decoder-Only" w/CG for cable system under 5000 subs, or

"2" for full "Encoder/Decoder" w/CG

1

Does customer require Telephone & Modem Access or Telephone Modem & Access with digital ETHERNET EAS capability: (ENTER "0" for none, "1" for Modem Access, "2" for Modem and Digital ETHERNET EAS capability) -----

0

Does customer require county routing of FIPS codes and EAS messages using SM-16 Trunk Multiplexer: (ENTER (Y)es or (N)o -----)

N

ENTER the number of individual trunks switches needed for SM-16 Trunk Multiplexer.-----

0

Number of internal AM, FM, or NOAA radios. (ENTER "2" for 2 radios or "4" for 4 radios):

2

Comb Generator Switching

Select frequency output range of comb generator (RF Generator, Channelizer 1 & 2:

ENTER "1" for 300 Mhz output 41 channels, or

ENTER "2" for 375 Mhz output 50 channels, or

ENTER "3" for 450 Mhz output 62 channels, or

ENTER "4" for 505 MHz output 71 channels, or

ENTER "5" for 550 MHz output 78 channels, or

ENTER "6" for 595 MHz output 86 channels comb generator

5

I.F. Switching

ENTER the number of single I.F. loop throughs required -----

0

ENTER the number of Aux. I.F. switches required.-----

0

ENTER the number of dual I.F. loop throughs required.-----

0

Baseband Switching

ENTER the number of SW-8 type Baseband Audio/Video switches required -----

0

ENTER the number of video crawl message switches required. (MMII-BB)-----

0

ENTER the number of video crawl message switches required. (MMII-4.5 audio).-----

0

Software

Is the EASyNET Custom Messaging Software Interface requested?(ENTER (Y)es or (N)o-----)

N

ENTER the number of EASy-NIC Ethernet Digital E A S Modems Cards Requested-----

0

ENTER number of EASy-Compliance Software Packages licensed for 3 sites -----

0

ENTER number of EASy-Compliance Software Packages licensed for 10 sites -----

0

ENTER number of EASy-Compliance Software Packages licensed for 25 sites -----

0

ENTER number of EASy-Compliance Software Packages licensed for 50 sites -----

0

ENTER number of EASy-Compliance Software Packages licensed for 128 sites -----

0

Hub Sites

ENTER number of remote hub sites needed Virtual Controller support -----

0

ENTER number of SW-1 I.F. switches needed at all hub sites -----

0

ENTER number of SW-4 I.F. switches needed at all hub sites.-----

0

EASy PLUS BILL OF MATERIALS

	Quantity	Part No.
E.A.S. Hardware Quoted:		
EASyPLUS Encoder/Decoder System	1	2011031000
Options: Decoder-Only with CG, 2 Radios		
Comb Generator Switching		
Number of 300 MHz Comb Generators needed.----- (Comb-300MHz)	-	2071419000
Number of 375 MHz Comb Generators needed.----- (Comb-375MHz)	-	2071419011
Number of 450 MHz Comb Generators needed.----- (Comb-450MHz)	-	2071419012
Number of 505 MHz Comb Generators needed.----- (Comb-505MHz)	-	2071419013
Number of 550 MHz Comb Generators needed.----- (Comb-550MHz)	1	2071419014
Number of 595 MHz Comb Generators needed.----- (Comb-595MHz)	-	2071419001
I.F. Switching		
Number of I F. switches needed ----- (SW-1)	-	2010780000
Number of contact closure switches for internal I F s ----- (SW-4)	-	2010783000
Number of Precision Lossless Splitters needed ----- (LS-16P)	-	2010779001
Number of I.F. source modulators.----- (IFS-3)	-	2010787001
Baseband Switching		
Number of rackmounted SW-8 type baseband audio/video switches ----- (SW-8)	-	2010965000
Number of character generator (6 per rack/1U) chassis with B B Audio ----- (MMII-BB)	-	2010829000
Number of character generator (6 per rack/1U) chassis with 4.5 Audio.----- (MMII-4.5)	-	2010829001
Expanded Trunk Switching		
Number of 32 Output Expansion TTL/CC Driver Cards ----- (TTL-32)	-	2071411202
Number of SM-16 trunk line multiplexers ----- (SM-16)	-	2010857000
Number of precision trunk switches needed for SM-16 operation.----- (ATS-1)	-	2010858000
Hub Sites		
Number of Virtual Controllers needed for county routing to hub sites ----- (VIRTUAL CTRL)	-	2010860000
Number of remote hub site agile demodulators.----- (RHS/DE-SB)	-	2071083001
Software		
Number of EASyNET Custom Messaging Software ----- (EASyNETMe)	-	0930097001
Number of EASy-NIC Ethernet Digital E.A S. Modems ----- (EASy-NIC)	-	2071525000
Number of EASy-Compliance Software Package. 3 site licensed ----- (EASyComp3)	-	0930096003
Number of EASy-Compliance Software Package. 10 site licensed ----- (EASyComp10)	-	0930096010
Number of EASy-Compliance Software Package. 25 site licensed ----- (EASyComp25)	-	0930096025
Number of EASy-Compliance Software Package. 50 site licensed ----- (EASyComp50)	-	0930096050
Number of EASy-Compliance Software Package. 128 site licensed.----- (EASyComp128)	-	0930096128

EASy PLUS CUSTOMER QUOTATION

Equipment Quoted	Quantity	Price	Extended
E.A.S. Hardware Quoted:			
EASy-PLUS Encoder/Decoder	1	2495.00 \$	2,495.00
Options: Decoder-Only with CG, 2 Radios			
Comb Generator Switching			
300 MHz 41 channel Comb Generator	0	4410.00 \$	-
375 MHz 50 channel Comb Generator	0	3795.00 \$	-
450 MHz 62 channel Comb Generator	0	3995.00 \$	-
505 MHz 71 channel Comb Generator	0	4295.00 \$	-
550 MHz 78 channel Comb Generator	1	4690.00 \$	4,690.00
595 MHz 86 channel Comb Generator	0	4794.00 \$	-
I.F. Switching			
Composite I.F. Switch (SW-1)	0	24.00 \$	-
Aux. I.F. Port Switch (SW-4)	0	79.00 \$	-
16-way I.F. Distribution Amp (LS-16P)	0	329.00 \$	-
I.F. Source Modulator (IFS-3)	0	897.00 \$	-
Baseband Switching			
Baseband Video/Audio Switch 8-Way (SW-8)	0	1295.00 \$	-
Rackmount CGs (Messenger II BB)	0	1795.00 \$	-
Rackmount CGs (Messenger II 4.5)	0	1795.00 \$	-
Expanded Trunk Switching			
Trunk Multiplexer (SM-16)	0	2295.00 \$	-
Precision Single Trunk Switch (ATS-1)	0	495.00 \$	-
Hub Sites			
Remote hub site agile demodulator (RHS/DE-SB)	0	575.00 \$	-
Remote Hub Site Activation (Virtual CTRL)	0	1095.00 \$	-
Software			
EASyNET Custom Messaging Software (EASyNETMe)	0	595.00 \$	-
EASy-NIC Ethernet Digital E.A.S. Modem (EASy-NIC)	0	2095.00 \$	-
EASy-Compliance Software 3-site license (EASyComp3)	0	595.00 \$	-
EASy-Compliance Software 10-site license (EASyComp10)	0	995.00 \$	-
EASy-Compliance Software 25-site license (EASyComp25)	0	1195.00 \$	-
EASy-Compliance Software 50-site license (EASyComp50)	0	1595.00 \$	-
EASy-Compliance Software 128-site license (EASyComp128)	0	1995.00 \$	-
COST OF EASyPLUS SYSTEM			\$ 7,185.00
COST OF ADDITIONAL COMPONENTS			\$ -
TOTAL COST OF EASyPLUS SYSTEM			\$ 7,185.00

Declaration of Larry C. Grogan
Executive Vice President
Com-Link, Inc.

DECLARATION


I, Larry C. Grogan, hereby state and declare:

1 I am Executive Vice President for Com-Link, Inc., cable television operator and petitioner herein

2 I am familiar with the facts contained in the foregoing Petition For Further Waiver of Emergency Alert System Requirements, and I verify that those facts are true and correct to the best of my knowledge and belief, except that I do not and need not attest to those facts which are subject to official notice by the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 9th day of September, 2005.



Larry C. Grogan
Executive Vice President

CERTIFICATE OF SERVICE

I, Donna Brown, an employee in the law offices of Lukas, Nace, Gutierrez & Sachs, Chartered, do hereby certify that I have on this 9th day of September, 2005, sent by first class United States mail a copy of the foregoing PETITION FOR FURTHER WAIVER OF EMERGENCY ALERT SYSTEM REQUIREMENTS to the following:

Kenneth P. Moran, Acting Chief
Office of Homeland Security
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554


Donna Brown